

**MINUTES**  
**SANDY CITY COUNCIL MEETING**  
Sandy City Hall - Council Chamber Room #211  
10000 Centennial Parkway  
Sandy, Utah 84070

**June 5, 2007**

Meeting was commenced at 7:10 p.m.

**PRESENT:**

**Council Members:** Chairman Dennis Tenney, Vice Chairman Bryant Anderson, Scott Cowdell, Steve Fairbanks, Chris McCandless, Linda Martinez Saville, and Stephen Smith

**Mayor:** Tom Dolan

**Others in Attendance:** CAO Byron Jorgenson; City Attorney Walter Miller; Community Development Director Mike Coulam; Assistant CAO Scott Bond; Community Development Assistant Director Nick Duerksen; Public Works Director Rick Smith; Deputy to the Mayor John Hiskey; Police Chief Stephen Chapman; Council Office Director Phil Glenn; Council Executive Secretary Wendy Densley

**ABSENT/EXCUSED:**

1. **OPENING REMARKS/PRAYER/PLEDGE:**  
The Prayer was offered by Boy Scout Eli Webb of Troop #136, and the Pledge was led by Max Webb, also of Troop #136.
2. **CITIZEN(S) COMMENTS:**
  - a. There were no citizen comments.

**COUNCIL ITEMS(S):**

4. **Approval for Sandy Polling Locations**  
**Resolution #07-32 C** – approving the polling places for the 2007 Municipal Election.

**Discussion:**

**Molly Spira**, Deputy City Recorder, presented to the council the polling precincts for the upcoming 2007 municipal Election.

**Motion:** Chris McCandless made the motion to adopt Resolution #07-32 C approving the polling places for the 2007 Municipal election.

**Second:** Linda Martinez-Saville

**Vote:** McCandless- Yes, Anderson- Yes, Cowdell – Yes, Smith – Yes, Saville- Yes, Fairbanks- Yes, Tenney – Yes

**Motion Approved:** All in favor

5. **General Plan Amendment – Transportation Element**  
**Ordinance #07-21** - amending the General Plan for Sandy City by updating the Transportation Element; and providing an effective date.

**Discussion:** Dennis Tenney reminded the council and staff that a Public Hearing was held on May 29<sup>th</sup> regarding this ordinance. He entertained a motion to adopt Ordinance #07-21.

**Motion:** Chris McCandless made a motion to adopt Ordinance #07-21 amending the General Plan for Sandy City by updating the Transportation Element.

**Second:** Steve Fairbanks

**Vote:** McCandless- Yes, Anderson- Yes, Cowdell – Yes, Smith – Yes, Saville- Yes, Fairbanks- Yes, Tenney – Yes

**Motion Approved:** All members in favor.

**6. Off Street Parking Management Standards**

**Ordinance #07-20** – amending Title 15 of the revised Ordinances of Sandy City (the Land Use Development Code) by amending Section 15-06-05, “Off-Street Parking Standards”; also providing a saving clause and effective date for the ordinance.

**Discussion:**

**Nick Duerksen**, Community Development Assistant Director, discussed with the council some changes that had been recommended to the Parking Management Standards. One change made is that the applicant will be responsible to make all provisions for on- and off-site parking, safe pedestrian routes, transportation from off-site locations beyond a *5,000 foot (approximately 15 minutes) walking route*, entry and exiting methods, and restricting parking in identified areas. Also, items “j”, methods to control the dust and debris, and “k”, a time period for which the parking and access management plan will be in place. [attached exhibit A]

**Steve Smith** presented some changes he would like made to the proposed Ordinance.

- The definition of a “Temporary Event” adding changes that would further clarify the type of use and time frame for the event. “A Temporary Event may be season in nature, occurring for a maximum of thirty (30) consecutive days, or for a maximum of sixty (60) intermittent days over a period not exceeding eight (8) calendar months; or a Temporary Event may be occasional in nature, occurring for a maximum of four (4) consecutive days”.
- Added in a section stating “the parking and access management plan must be approved prior to the issuance of any temporary use permit, business license or certificate of occupancy required for the event, project or use”.
- In line item “a” [attached exhibit A] adding in “which shall be limited to 10% of the total number of required parking spaces unless greater mass transit is demonstrated by a venue specific study.
- In line items “c”, “d”, and “e” [attached Exhibit A] delete the “if any” phrase.
- In line item “f” [attached Exhibit A] added in “satisfying criteria c and d, above”, and “satisfying criterion e, above”. Also adding in the phrase “and provide a timeline for the implementation of the identified methods. Each potential off-site parking location shall conform to the parking area development and maintenance requirements in this Title”.
- In line item “g” [attached Exhibit A], adding “or will be subject to parking restrictions during the event”. Also adding they must provide a timeline for the implementation of the identified methods.
- In line item “h” [attached Exhibit A] adding they must provide a timeline for the implementation of the identified methods”.
- Moving line item “i” down the item “k” [attached Exhibit A] adding a new “i” stating “include a traffic study presenting projected traffic counts, times and circulation patterns for a geographic area encompassing all potential off-site parking sites. The traffic study shall also present the projected impact of the event on existing traffic counts, times and circulation patterns”.
- Moving line item “j” down to item “i” [attached Exhibit A] adding in a new “j” stating “contain any permits or approvals necessary from other transportation agencies with jurisdiction over roads or streets affected by the temporary or permanent traffic control measures identified in criteria g, h and i above”.
- In the new line item “i” or line item “j” on original ordinance [attached Exhibit A] add in the phrase “the planning commission shall hold at least one public hearing prior to the approval of any updated parking and access management plan”.

**Chris McCandless** recommends changing the time frame from eight (8) calendar months to twelve (12) calendar months, also changing the sixty (60) intermittent days to ninety (90) intermittent days. He questioned that over a period of 365 days how many days could the event anticipate using the stadium, or facility of that nature. Questioned if ninety (90) days would be adequate.

**Dave Kerschner**, REAL, reported that for the main stadium 90-100 days would be adequate. With other facilities in the stadium and the club area, it could possibly add up to more than one hundred (100) days.

**Steve Smith** reported that for a club event described by Dave Kerschner, off site parking would not be necessary. Also, off street parking wouldn't be necessary for all shows held at the South Towne Exposition Center. His intentions would be that a parking plan would be necessary for only those events that would require off site parking. Commented that some clarity will need to be added to the ordinance on this issue.

**Chris McCandless** is concerned in making this an arbitrary number, feels it is necessary to have some solid numbers before making a decision on what would be adequate for the time frame.

**Nick Duerksen** reported that the City itself holds more events that fall under this ordinance and utilizes more off site parking than the private sector. His recommendation is to go to 120 days, feels that would be adequate.

**Scott Cowdell** feels that these changes places too many restrictions for private sector events and the City. He recommends adopting the proposed document as presented by staff.

**1<sup>st</sup> Motion:**        **Scott Cowdell made a motion to adopt off street parking management ordinance #07-20, as proposed by Planning Staff and also the Planning Commission.**

**Second:**            **Linda Martinez-Saville**

**Discussion on the motion:**

**Steve Smith** reported, in regard to Councilman Cowdell's concern, in adopting a temporary off site parking ordinance the City events would be subject to the ordinance like any other applicant event. He is concerned If we narrow this to apply to only a certain applicant, would that be in violation because of a kind of unequal application of our ordinance to all applicants.

**Wally miller** reported that he doesn't think that there is a constitutional issue, but explained that the City needs to be careful and keep in mind that the reason is to try not to impact neighborhoods.

**Steve Fairbanks** feels that they are headed in the right direction with the changes to the ordinance. But asked if the South Towne Mall, for example, is holding a side walk sale, or Larry Miller holding a tent sale, would they be required to have a parking management plan. He questioned which temporary events would require a plan, and which events wouldn't.

**Steve Smith** reported that his intention, with his changes, would be that if the private sector could not provide adequate parking on their property, then off site parking control was necessary.

**Dennis Tenney** said he supports Councilman Cowdell's motion. He feels that a lot of information as been given on such short notice, and recommends approving the ordinance as drafted by Planning Commission and City Staff, requesting the Planning Department and the Planning Commission look at Councilman Smith's proposed changes in more detail for later consideration.

**Bryant Anderson** feels the ordinance is essential and needs to be created in a way to accommodate a variety of events. Suggests the ordinance require a permit of some kind be obtained from the City requiring the plan of the event.

**Roll Call vote on Motion:**

**McCandless- No, Anderson- No, Cowdell – Yes, Smith – No, Saville- Yes,  
Fairbanks- No, Tenney – Yes**

**Motion failed:    3 in favor, 4 opposed.**

**Discussion:**

**Chris McCandless** had some suggestions in addition to Councilman Smith's changes. He feels that some of the changes could be made easily, but others will need some further discussion and thought. He suggests that Councilman Smith and possibly another council member work with staff on the items and issues and come to a conclusion. He recommends the following changes:

- add a time frame, 12 month and 180 intermittent days
- the changes on the 5,000 feet, the Staff presented
- Have Councilman Smith work with staff on the added paragraph stating the parking and access management plan must be approved prior to the issuance of any temporary use permit, business license or certificate of occupancy required for the event, project or use.
- Adding the 10% of the total number of parking spaces, item "a" [attached exhibit A]
- In line item "f" [attached Exhibit A] add in "satisfying criteria c and d, above", and "satisfying criterion e, above". Also adding in the phrase "and provide a timeline for the implementation of the identified methods. Each potential off-site parking location shall conform to the parking area development and maintenance requirements in this Title".
- In line item "g" [attached Exhibit A], adding "or will be subject to parking restrictions during the event". Also adding they must provide a timeline for the implementation of the identified methods. Feels it adds clarity to the document.
- Remove Smith's added in "i" stating "include a traffic study presenting projected traffic counts,

times and circulation patterns for a geographic area encompassing all potential off-site parking sites. The traffic study shall also present the projected impact of the event on existing traffic counts, times and circulation patterns".

- Moved item "j" to "i" on Smith's changed, holding at least one public hearing prior to the approval of any updated parking and access management plan.
- Implement the dust control provision as recommended by staff.

## **2<sup>nd</sup> Motion**

**Motion:** Chris McCandless made a motion to have Councilman Smith and Staff discuss the proposed changes and have the item brought back to the Council on June 19, 2007, also solicit input from those who will be impacted.

### **Motion amendments:**

Dennis Tenney requested that those who will be impacted by the changes made to the Ordinance be allowed to voice their concerns.

Steve Fairbanks requested that the definition of a temporary event or temporary use be clarified, also that an attendance matrix be added to the ordinance.

**Second:** Dennis Tenney

### **Discussion on the motion:**

**Scott Cowdell** after all of Mr. McCandless's comments, it would be a whole lot different than the original and is perplexed that we are doing things just to do them. Also needing discussion, are the temporary uses, and what that means.

**Roll Call Vote:** McCandless- Yes, Anderson- Yes, Cowdell – No, Smith – Yes, Saville- No, Fairbanks- Yes, Tenney – Yes

**Motion passed: 5 in favor, 2 opposed**

## **7. State Street Betterments**

**Resolution #07-30C** – authorizing the execution of an Interlocal Cooperative Agreement between the Utah Department of Transportation and Sandy City for Landscaping Feature Betterment on the Highway Construction Project for State Street 10600 South to 9000 South in Sandy City.

**Motion:** Steve Fairbanks made a motion to adopt Resolution #07-30 C authorizing the execution of an Interlocal Cooperative Agreement between the Utah Department of Transportation and Sandy City for Landscaping Feature Betterment on the Highway Construction Project for State Street 10600 South 9000 South in Sandy City.

**Second:** Scott Cowdell

**Vote:** McCandless- Yes, Anderson- Yes, Cowdell – Yes, Smith – Yes, Saville- Yes, Fairbanks- Yes, Tenney – Yes

**Motion Approved: All in favor.**

## **8. Consideration of a Resolution calling for a Public Hearing to receive input related to the pledge of local option Sales and Use Tax [Sant]**

### **Discussion:**

**Phil Glenn** reported that Randy Sant and Sandy City Administration would like to withdraw this request for this resolution and recommend that we take no action on this item.

**Motion:** Scott Cowdell made a motion to do away with and not consider this request as requested by Administration.

**Second:** Chris McCandless

**Vote:** McCandless- Yes, Anderson- Yes, Cowdell – Yes, Smith – Yes, Saville- Yes, Fairbanks- Yes, Tenney – Yes

**Motion Approved: all in favor.**

## **9. MAYOR'S REPORT**

- **Mayor Dolan** reported that last Thursday (May 31<sup>st</sup>) an open house was held at Eastmont Middle School to

present the new school district information to the public. There were about 60-65 people in attendance. He feels that more information needs to be sent out to the public. A request has been made to give a presentation to all school employees to get them further informed.

- **Mayor Dolan** reported that some discussions have been had with Fred Lampropoulos and Merit Medical about sponsoring an event at the Sandy City Amphitheatre. They have agreed to sponsor the Gladys Knight performance, donating somewhere between 50 to 70 thousand dollars.

**10. CAO'S REPORT**

- **Byron Jorgenson** reported that Rick Smith, Public Works, had a few items to discuss.
  - **Rick Smith** reported that last week he was asked to check on the M&M Meat property on State Street to see if any is available. He reported that no property is available, M&M has retained all the property.
  - **Rick Smith** discussed with the Council a disclosure. The legislature authorized some state funding for corridor preservation to be administered through Salt Lake County. Sandy City has applied to the County and has received two approvals to purchase homes on the 20<sup>th</sup> East Corridor. The first home was purchased several months ago, the check was made out directly to the resident. They have changed their process, the second home is being purchased, the money will be given to Sandy City then given to the resident.

**11. COUNCIL OFFICE DIRECTOR'S REPORT**

- **Phil Glenn** presented a financial disclosure to the Council from Randy Sant retaining Lewis, Young, and Robertson, Burningham for Soccer stadium redevelopment bonding counsel.

**12. OTHER COUNCIL BUSINESS**

- **Scott Cowdell** questioned how the council and city is going to respond to the letter from the school board. Mayor Dolan reported the John Hiskey will be addressing the letter. He reported that they are trying to contact and meet with the school board regarding this issue.

**\*\*\* Adjourn City Council Meeting and reconvene into:**

- **Chris McCandless made a motion to adjourn city council meeting and reconvene into the Sandy City Arts Guild Board, Steve Smith seconded the motion. All members in favor.**

**\*\*\*\*Sandy City Arts Guild Board\*\*\*\***

**i. Adopt 2007-2008 Arts Guild Budget**

**Resolution #07-01 AG** – adopting its budget for the fiscal year beginning July 1, 2007 and ending June 30, 2008.

**Motion:** Dennis Tenney made a motion to adopt Resolution #07-01 AG adopting its budget for the fiscal year beginning July 1, 2007 and ending June 30, 2008.

**Second:** Steve Smith

**Vote:** McCandless- Yes, Anderson- Yes, Cowdell – Yes, Smith – Yes, Saville- Yes, Fairbanks- Yes, Tenney – Yes

**Motion Approved:** All members in favor.

**At approximately 8:00 p.m., Dennis Tenney made a motion to adjourn Council Meeting, motion seconded by Chris McCandless .**

**The content of the minutes is not intended, nor are they submitted, as a verbatim transcription of the meeting. These minutes are a brief overview of what occurred at the meeting.**

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**Dennis B. Tenney**  
**Council Chairwoman**

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**Wendy Densley**  
**Council Office Executive Secretary**